

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 3, 2022.

[24]*

JOURNAL OF THE HOUSE.

Thursday, March 3, 2022.

Met according to adjournment at eleven o'clock A.M., pursuant to emergency rules, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

During the session the Chair (Ms. Hogan of Stow) declared a recess; and, at the request of Representative Kushmerek of Fitchburg and Speaker Mariano of Quincy the members, guests and employees stood in a moment of silent tribute for the Ukrainians who have lost their lives, and those who continue to fight on behalf of their country, in heroic defense against the ongoing Russian invasion.

Ukraine.

Orders.

The following order (filed by Mr. Cusack of Braintree) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Wednesday, May 4, 2022, within which time to make its final report on current House documents numbered 4361 and 4362.

Revenue
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4518) ought to be adopted. Under suspension of the rules, on motion of Mr. Pignatelli of Lenox, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoisett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, April 29, 2022, within which time to make its final report on current Senate documents numbered 2265 and 2287 and current House documents numbered 3551, 3563, 3706 and 4436.

Transportation
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4516) ought to be adopted. Under suspension of the rules, on motion of Mr. Pignatelli of Lenox, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. McMurtry of Dedham) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Veterans and Federal Affairs be granted until Friday, April 8, 2022, within which

Veterans and
Federal Affairs
committee,—

time to make its final report on current House documents numbered 3640, 3643, 3655, 3664, 3667, 3668, 3672, 3674, 3680 and 3698.

extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4517) ought to be adopted. Under suspension of the rules, on motion of Mr. Pignatelli of Lenox, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Linsky of Natick) congratulating Erica “Ricky” Esther Weisz Ball on the occasion of her eighty-fifth birthday; and

Erica Weisz
Ball.

Resolutions (filed by Mr. Soter of Bellingham) congratulating and recognizing Mr. Robert Dubois on the occasion for his retirement from the Blackstone Board of Selectmen after thirty-three years of service;

Robert
Dubois.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Pignatelli of Lenox, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Massachusetts Food Policy Council (see Section 6C(e) of Chapter 20 of the General Laws) submitting its 2021 annual report, including attachments, on the priorities from the council’s ongoing work related to the Massachusetts Local Food Action Plan;

Local food
action plan.

From the Department of Elementary and Secondary Education (see Section 1P of Chapter 69 of the General Laws) submitting the annual report of the Safe and Supportive Schools Commission [copies of said report were forwarded to the House committee on Ways and Means and the committees on Children, Families and Persons with Disabilities, Education and Mental Health, Substance Use and Recovery, as required by said law];

Safe and
Supportive
Schools
Commission.

From the Executive Office of Public Safety and Security (see Section 5 of Chapter 276B of the General Laws, as inserted by Section 202 of Chapter 69 of the Acts of 2018) submitting the fiscal year 2021 annual report of the Restorative Justice Advisory Committee; and

Restorative
Justice
Advisory
Committee.

From the Insurance Fraud Bureau (see Section 1(k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) submitting a semi-annual report relative to referrals involving automobile insurance fraud, workers’ compensation fraud and other insurance fraud [copies of said report were forwarded to the committees on Financial Services and Labor and Workforce Development, as required by said law];

Insurance
Fraud Bureau.

Severally were placed on file.

Annual and Special Reports.

The annual report of the Department of Public Utilities (under Section 2 of Chapter 25 of the General Laws) of its activities for calendar year 2021; and	Public Utilities.
Reports	
Of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) submitting the January 2022 Unemployment Insurance Trust Fund Report;	Unemployment Insurance Trust Fund.
Of the Office of the Attorney General (under item 0810-0045 of Chapter 24 of the Acts of 2021) submitting on behalf of the specialized unit of the wage enforcement program established in said item a report on enforcement actions and violation trends in the construction industry;	Construction industry.
Of the Executive Office of the Trial Court (under Section 2(c) of Chapter 257 of the Acts of 2020) submitting the monthly report of the number of actions for summary process entered and filed with each court having jurisdiction over an action for summary process for the month of January, 2022;	Summary process actions.
Of the Executive Office of Public Safety and Security (under Section 10(d) of Chapter 122 of the Acts of 2019) submitting the 2020 Massachusetts Uniform Citation Data Analysis report;	Uniform citation data analysis.
Of the Pension Reserves Investment Management Board (under Section 6 of Chapter 232 of the Acts of 2010) relative to the divestment from Iran restricted securities;	Iran,—divestment.
Of the Pension Reserves Investment Management Board (under Section 4 of Chapter 151 of the Acts of 2007) relative to divestment from Sudan restricted securities;	Sudan,—divestment.
Of the Pension Reserves Investment Management Board (under Section 23 of Chapter 32 of the General Laws) relative to divestment from companies that derive certain revenues from the sale of tobacco products;	Tobacco companies,—divestment.
Of the Executive Office of the Trial Court (under Section 5 of Chapter 205 of the Acts of 2008) submitting the annual report relative to the prosecution and disposition of certain cases which involved child protection offenses for fiscal year 2021; and	Child protection offenses.
A quarterly report of the Sheriff's Department of Plymouth County (under Section 84 of Chapter 69 of the Acts of 2018) submitting the corrected aggregate data on the population of the Plymouth County Correctional Facility for the fourth quarter of calendar year 2021;	Plymouth County Correctional Facility.
Severally were placed on file.	

Papers from the Senate.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson (House, No. 4126), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2729. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.	Hudson,—land.
Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:	
Petition (accompanied by bill, Senate, No. 2740) of Diana DiZoglio, Adam J. Scanlon, Sal N. DiDomenico and Carmine Lawrence Gentile for legislation relative	Restaurants,—third-party delivery costs.

to extending third-party delivery cost containment for restaurants. To the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, Senate, No. 2741) of Diana DiZoglio, James M. Kelcourse, Bruce E. Tarr and Lenny Mirra for legislation relative to the Salisbury Beach Preservation Trust Fund. To the committee on Environment, Natural Resources and Agriculture.

Salisbury
Beach,—
trust fund.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of Dylan A. Fernandes and Julian Cyr relative to the Steamship Authority audit reports. Under suspension of the rules, on motion of Mr. Pignatelli of Lenox, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Steamship
Authority,—
audit reports.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Providing for the expungement of racially restrictive covenants in recorded real property documents (House, No. 1465);

Racially restrictive
covenants.

Designating a certain bridge in the town of Duxbury as the Lewis sisters bridge (House, No. 4332); and

Duxbury,—
bridge.

Designating a certain bridge in the town of Duxbury as the Cora Wilburn bridge (House, No. 4333);

Id.

Under suspension of Rule 7A, in each instance, on motion of Mr. Pignatelli of Lenox, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mrs. Campbell of Methuen, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on House, No. 142, a Bill establishing the Massachusetts Information Privacy and Security Act (House, No. 4514). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Information
security.

By Mrs. Campbell of Methuen, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on a petition, a Bill creating a task force to study the use of the internet by sex offenders (House, No. 123).

Sex offenders,—
internet use.

By the same member, for the same committee, on House, No. 119, a Bill establishing a commission on automated decision-making by government in the commonwealth (House, No. 4512) [Senator Fattman dissenting].

Automated
decision-
making.

By the same member, for the same committee, on House, No. 126, a Bill establishing a special commission on blockchain and cryptocurrency (House, No. 4513).

Blockchain and
cryptocurrency,—
commission.

By Mr. Arciero of Westford, for the committee on Housing, on a petition, a Bill establishing a task force on rate parity and equity in homeless shelters (House, No. 1447).

Homeless
shelters,—
task force.

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mrs. Campbell of Methuen, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on a petition, a Bill to establish the Massachusetts open data standard (House, No. 116, changed in section 2, in line 88, by striking out the year: “2021” and inserting in place thereof the year: “2022”).

Open data standard.

By the same member, for the same committee, on a petition, a Bill establishing a smart gun technology task force (House, No. 132) [Senator Fattman and Representative Lombardo of Billerica dissenting].

Smart gun technology,— study.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 181 and House, Nos. 37 and 317 and on a part of House, No. 25, a Bill modernizing Lottery payment options (House, No. 37).

Lottery,— payments.

By the same member, for the same committee, on House, No. 39 and on a part of House, No. 25, a Bill relative to Keno licenses (House, No. 39).

Keno licenses.

By the same member, for the same committee, on a petition, a Bill relative to sheet metal work license (House, No. 304, changed in section 2, in line 14, by striking out the year: “2022” and inserting in place thereof the year: “2023”).

Sheet metal work.

By the same member, for the same committee, on Senate, No. 173 and House, No. 313, a Bill relative to refrigeration technicians (House, No. 313).

Refrigeration technicians.

By the same member, for the same committee, on a petition, a Bill relative to water treatment and wastewater treatment facilities (House, No. 347).

Water treatment facilities.

By the same member, for the same committee, on a petition, a Bill relative to electrical wiring and permitting (House, No. 474).

Electrical wiring, etc.

By the same member, for the same committee, on Senate, No. 213 and House, Nos. 352, 410, 413 and 420, a Bill relative to health club memberships reform (House, No. 4510).

Health clubs,— memberships.

By the same member, for the same committee, on House, No. 4030, a Bill relative to streamlining licensure, compliance, and contracting opportunities (House, No. 4511).

Contracting opportunities.

By Mr. Arciero of Westford, for the committee on Housing, on a petition, a Bill relative to senior and non-elderly disabled housing (House, No. 1374).

Disabled housing.

By the same member, for the same committee, on a petition, a Bill providing upstream homelessness prevention assistance to families, youth, and adults (House, No. 1385) [Representative DeCoste of Norwell dissenting].

Homelessness,— prevention.

By the same member, for the same committee, on a petition, a Bill relative to housing service coordinators (House, No. 1410).

Housing coordinators.

By the same member, for the same committee, on a petition, a Bill establishing an office of the condominium ombudsman (House, No. 1412).

Condominium ombudsman.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 38 and on a part of House, No. 25, a Bill relative to Lottery compliance investigations (House, No. 38).

Lottery compliance.

By Mr. Arciero of Westford, for the committee on Housing, on Senate, No. 908 and House, No. 1370, a Bill relative to accessory dwelling units (House, No. 1370).

Accessory dwelling units.

By the same member, for the same committee, on a petition, a Bill further defining the purposes of the affordable housing trust in the city of Somerville (House, No. 1371) [Local Approval Received].

Somerville,— affordable housing trust.

By the same member, for the same committee, on a petition, a Bill promoting accessory dwelling units (House, No. 1413).

Accessory dwelling units.

By the same member, for the same committee, on a petition, a Bill relative to electronic meetings and voting in condominiums (House, No. 1416).

Condominiums,— meetings.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recess.

At nine minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty-eight minutes before two o'clock, the House was called to order with the Ms. Hogan of Stow in the Chair.

Recess.

Quorum.

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 155 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 149.

[See [Yea and Nay No. 149](#) in Supplement.]

Therefore a quorum was present.

Orders of the Day.

The House Bill advancing offshore wind and clean energy (House, No. 4515), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Jones of North Reading moved to amend it in section 24, in line 793, by striking out the figures: “15” and inserting in place thereof the figures: “17”; and in line 797 by inserting after the word “designees” the following: “; 2 of whom shall be the ranking minority members of the joint committee on telecommunications, utilities, and energy, or their designees”.

The amendments were adopted.

The same member then moved to amend the bill by striking out section 18; and the amendment was rejected.

Mr. Jones then moved to amend the bill by striking out section 22 and inserting in place thereof the following section:

“SECTION 22. Said section 83C of said chapter 169, as so amended, is hereby further amended by striking out subsection (m) and inserting in place thereof the following 4 subsections:

(m) The plan required in subclause (viii) of clause 5 of subsection (d) shall include, but shall not be limited to, a detailed description of the best management practices and any on-site or off-site mitigation the applicant shall employ, informed by the latest science at the time the plan is made, that will avoid, minimize and mitigate impacts to wildlife, including, but not limited to: threatened or endangered species such as North Atlantic right whales, coastal and marine habitats; natural resources; ecosystems; and traditional or existing water-dependent uses, including, but not limited to, commercial and recreational fishing. The plan shall include pre-construction and post-construction monitoring to understand the effects of facilities on marine and avian species.

(n) The office of coastal zone management established in section 4A of chapter 21A of the General Laws, in consultation with the environmental and fisheries working groups established in section 4A½ of said chapter 21A, shall determine how

the funds required in subclause (ix) of clause 5 of subsection (d) shall be used to advance the responsible development of the offshore wind energy industry.

(o) The winning bid shall be chosen by the selection committee, which shall consider all proposals and criteria in subsection (d) when making a final decision, as well as technical advice from the electric distribution companies. The committee shall consist of the following members: the secretary of energy and environmental affairs, or their designee, who shall be the chair; the independent evaluator required by subsection (f); the secretary of the executive office of housing and economic development. No member of the selection committee shall have a financial interest in any company or affiliated company that has submitted a bid or multiple bids. The selection committee shall give preference to proposals that demonstrate benefits from: (i) the greatest economic development and employment contributions to the commonwealth, including opportunities for diversity, equity and inclusion; (ii) the avoidance, minimization and mitigation of impacts to wildlife, natural resources, ecosystems, commercial and recreational fishing and other traditional or existing water-dependent uses; (iii) resources able to guarantee firm energy delivery; (iv) energy storage, including new and existing long-duration and multi-day energy storage systems; (v) commitments to enter into long-term contracts with businesses, nonprofit organizations, a municipality or group of municipalities with an approved municipal load aggregation plan pursuant to section 134 of chapter 164 of the General Laws or other government entities directly to purchase offshore wind energy; provided, that said contracts may be in addition to the long-term contracts entered into by distribution companies under this section; and (vi) the use of a project labor agreement with the appropriate labor organization for construction, renovation, reconstruction, alteration, installation, demolition, expansion, maintenance and repair.

(p) If this section is subjected to a legal challenge, the department of public utilities may suspend the applicability of the challenged provision during the pendency of the action until a final resolution, including any appeals, is obtained and shall issue an order and take other actions as are necessary to ensure that the provisions not subject to the challenge are implemented expeditiously to achieve the public purposes of this section.”.

The amendment was rejected.

The Speaker being in the Chair,— Mr. Pease of Westfield then moved to amend the bill by striking out sections 12, 13, 14, 15 and 16.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Ms. Hogan of Stow being in the Chair) 28 members voted in the affirmative and 127 in the negative.

[See Yea and Nay No. 150 in Supplement.]

Therefore the amendments were rejected.

Ms. Ferrante of Gloucester then moved to amend the bill by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Chapter 21A of the General Laws is hereby amended by inserting after section 4A the following section:

SECTION 4A½. The office of coastal zone management, in consultation with the division of marine fisheries established in section 1A of chapter 130, shall establish: (1) an environmental working group; and (2) a fisheries working group. Each working group shall be comprised of key experts and stakeholders to provide input on best practices for avoiding, minimizing and mitigating impacts to wildlife, including, but not limited to, threatened or endangered species, such as North Atlantic

Amendments
rejected,—
yea and nay
No. 150.

right whales, coastal and marine habitats, natural resources and ecosystems; traditional or existing water-dependent uses, including, but not limited to, commercial and recreational fishing during the construction and operation of facilities; and job training for opportunities in the offshore wind industry. The environmental and fisheries working groups shall conduct an ongoing review of implemented monitoring and mitigation programs and provide feedback and recommendations on an as-needed basis, to be considered by the office, in consultation with the division of marine fisheries. Pre-construction engagement of the working groups shall correspond with project development, solicitation and permitting and a process to determine federal consistency with approved coastal management programs. The director of marine fisheries shall include in its annual report a report of the fisheries working group.”.

The amendment was adopted.

Ms. Miranda of Boston then moved to amend the bill in section 11, in lines 210 to 227, inclusive, by striking out the paragraph contained in those lines and inserting place thereof the following paragraph:

“(6) provide funds for workforce training to prepare individuals for offshore wind careers to: (i) state and municipal public higher education institutions, private higher education institutions, and vocational-technical education institutions for the adoption of basic safety training and basic technical training programs; provided, that the center shall prioritize awards to education institutions seeking accreditation in internationally recognized training standards, including, but not limited to, standards developed by the Global Wind Organisation; (ii) state and municipal public higher education institutions, private higher education institutions, and vocational-technical education institutions for the development, expansion and promotion of offshore wind professional certificate programs and courses tailored to careers in the offshore wind industry for students in associate and baccalaureate degree programs; (iii) state and municipal public higher education institutions, private higher education institutions, and vocational-technical education institutions for the sponsorship of award, scholarship and paid internship programs to support the education and training of individuals seeking careers in the offshore wind industry; provided, that the center shall prioritize the promotion of careers in the skilled trades, water transportation, operations and maintenance and other occupations that the center identifies as high priority; and (iv) regional employment boards to develop a regional strategy to support the development of the offshore wind industry and to publish their findings as an addendum to their workforce development blueprints; provided, that recipients of funds under this clause shall demonstrate a commitment to workforce training for members of socially or economically disadvantaged communities;”;

By inserting after section 11 the following section:

“SECTION 11A. Said chapter 23J is hereby further amended by striking out section 13, as inserted by section 14 of chapter 8 of the acts of 2021, and inserting in place thereof the following section:

Section 13. (a) There shall be within the center a clean energy equity workforce and market development program to provide workforce training, educational and professional development, job placement, startup opportunities and grants promoting participation in the commonwealth’s, energy efficiency, clean energy, and clean heating and cooling industries to: (i) certified minority-owned and women-owned small business enterprises; (ii) individuals residing within an environmental justice community; and (iii) current and former workers from the fossil fuel industry. The program shall: (i) identify the employment potential of the energy efficiency and clean energy industries and the skills and training needed for workers in those fields; (ii) maximize energy efficiency and clean energy employment opportunities for

certified minority-owned and women-owned small business enterprises and individuals residing within an environmental justice community; (iii) identify barriers to deployment of clean energy and energy storage resources to certified minority-owned and women-owned small business enterprises; (iv) recommend near-term deployment targets consistent with the state's clean energy and climate change requirements and awarding incentives to deploy said resources; (v) focus on the employment potential, skills and training, and employment opportunities for certified minority-owned and women-owned small business enterprises within the offshore wind industry; and (vi) make recommendations to the general court for policies to promote employment growth and access to jobs in the clean energy industry.

(b) There shall be a program coordinator to administer the program established in subsection (a). In addition to the purposes set forth in subsection (a), the program coordinator shall prepare guidance on best practices to promote diversity, equity, and inclusion opportunities in the offshore wind industry. Offshore wind developers, as defined in section 83B of chapter 169 of the acts of 2008, may consult the program coordinator in the development of diversity, equity and inclusion opportunity provisions within their proposals pursuant to subclause (xi) of clause 5 of subsection (d) of chapter 83C of said chapter 169, and the program coordinator shall provide feedback and recommendations. The program coordinator shall produce an annual report detailing: (i) the activities of the clean energy equity workforce and market development program; (ii) the progress on workforce diversity plans and a supplier diversity program plans submitted by offshore wind developers pursuant to said clause 5 of said subsection (d) of said section 83C of said chapter 169; and (iii) plans for continued programming by the center to achieve the commonwealth's diversity, equity and inclusion goals.

(c) The department of public utilities shall annually direct the electric and gas distribution companies and municipal aggregators with certified energy plans to jointly transfer funds collected pursuant to section 19 of chapter 25 to the center for the purposes of implementing the clean energy equity workforce and market development program; provided, that the electric and gas distribution companies and municipal aggregators with certified energy plans shall transfer not less than \$12,000,000 no later than December 31 each year. Such transfer shall not reduce the amount expended on low-income programs pursuant to subsection (c) of said section 19 of said chapter 25.”; and

In section 20 by striking out lines 648 to 680, inclusive, and inserting in place thereof the following:

“(d) The department of public utilities shall promulgate regulations consistent with this section. The regulations shall: (1) allow offshore wind developers of offshore wind energy generation to submit proposals for long-term contracts consistent with this section; (2) require that a proposed long-term contract executed by the distribution companies under a proposal be filed with, and approved by, the department of public utilities before becoming effective; (3) provide for an annual remuneration for the contracting distribution company up to 2.5 per cent of the annual payments under the contract; provided, that the distribution company demonstrates either: (i) that the financing cost reduction enabled by entering into the contract as compared to an uncontracted merchant project is equal to or greater than the requested remuneration rate, or (ii) that the financial obligation or risk incurred by the distribution company for entering into the long-term contract support the requested remuneration rate, such provision to be acted upon by the department of public utilities at the time of contract approval; (4) require associated transmission costs to be incorporated into a proposal; provided, that to the extent there are transmission

costs included in a bid, the department of public utilities may authorize or require the contracting parties to seek recovery of such transmission costs of the project through federal transmission rates, consistent with policies and tariffs of the Federal Energy Regulatory Commission, to the extent the department finds such recovery is in the public interest; and (5) require that proposals meet the following criteria: (i) provide enhanced electricity reliability and energy security; (ii) contribute to reducing winter electricity price spikes; (iii) are cost effective to electric ratepayers in the commonwealth over the term of the contract, taking into consideration potential economic and environmental benefits to the ratepayers; (iv) avoid line loss and mitigate transmission costs to the extent possible and ensure that transmission cost overruns, if any, are not borne by ratepayers; (v) provide optimal interconnection locations; (vi) adequately demonstrate project viability in a commercially reasonable timeframe; (vii) allow offshore wind energy generation resources to be paired with energy storage systems, including new and existing long-duration and multi-day energy storage systems; (viii) include an initial environmental and fisheries mitigation plan for the construction and operation of such offshore wind facilities; (ix) mitigate impacts to the marine environment by providing financial and technical assistance to support robust monitoring of wildlife and habitat through a contribution to regional research efforts; (x) include benefits to environmental justice populations and low-income ratepayers in the commonwealth; (xi) include opportunities for diversity, equity and inclusion, including, at a minimum, a workforce diversity plan and a supplier diversity program plan; and (xii) where feasible, create and foster economic development and quality, high-paying jobs in the commonwealth.”.

After remarks the amendments were adopted.

Mr. Kearney of Scituate then moved to amend the bill in section 6, in line 68, by striking out the figures: “14” and inserting in place thereof the figures: “15”; and in line 76 by inserting after the word “representative” the following: “and 1 of whom shall be the president of a Massachusetts state university or college”.

After remarks the amendments were adopted.

Mr. Vitolo of Brookline then moved to amend the bill in section 11, in lines 233, 234 and 235 by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(10) authorize, by a vote of the board, and operate a program to secure, leverage, or otherwise guarantee long-term purchases of energy and renewable energy certificates from offshore wind developers for direct sale, or resale by the center, to a municipality or group of municipalities with an approved municipal load aggregation plan pursuant to section 134 of chapter 164, aggregations pursuant to section 137 of said chapter 164 and other private aggregations with plans approved by the center”; and

In section 22, in line 748, by inserting after the word “directly” the following: “or through an aggregation pursuant to section 137 of said chapter 164”.

After remarks the amendments were adopted.

Ms. Robinson of Framingham then moved to amend the bill by striking out section 23 and inserting in place thereof the following section:

“SECTION 23. (a) Notwithstanding any general or special law to the contrary, the department of energy resources shall, not later than March 1, 2023, competitively solicit and procure proposals for offshore wind energy transmission sufficient to deliver energy generation procured pursuant to subsection (b) of section 83C of chapter 169 of the acts of 2008 from designated wind energy areas for which a federal lease was issued on or after January 1, 2012, that shall be developed independent of such offshore wind energy generation; provided, that offshore wind developers, as

defined in section 83B of said chapter 169 shall be permitted to submit proposals pursuant to this section; provided further, that such transmission service shall be made available for use by more than 1 wind energy generation project; and provided further, that the department shall coordinate with the department of public utilities, electric distribution companies, other New England states or entities designated by those states and ISO New England, Inc. or a successor organization, in the solicitation and procurement of proposals for offshore wind energy transmission. The department shall be permitted to select 1 proposal, multiple proposals, or no proposals; provided, however, that the department may satisfy the requirement regarding proposal selection through federal funding in the form of a match, a grant, a loan, or through ownership and operation by the United States government that provides a comparable level of investment as would have otherwise been provided if the department had selected a single proposal or multiple proposals.

(b) In conducting the procurement for offshore wind energy transmission, the department of energy resources shall take into consideration the total amount of transmission needed to achieve the commonwealth's offshore wind and decarbonization goals as well as demonstrable benefits to the consumer and environment and in terms of electric system reliability and avoided upgrade costs to the existing transmission grid. The department shall consider proposals that include, but shall not be limited to, upgrading the existing grid, extending the grid closer to offshore wind locations, determining optimal landfall approaches or interconnecting between offshore substations. If federal grants or other federal funding for transmission and distribution become available, the department may modify a procurement, prior to selecting a proposal, in order to satisfy federal eligibility criteria.

(c) Not later than September 31, 2023, the department of energy resources shall submit a report to the clerks of the house of representatives and the senate and the chairs of the joint committee on telecommunications, utilities and energy, that: (1) outlines the design and conduct of the solicitation and procurement process; (2) identifies and recommends any improvements to the solicitation and procurement process; and (3) provides, in the event that the department does not choose a proposal, a comprehensive explanation of their decision, including the extent to which the department's consideration of factors in subsection (b) played a role in said decision.”.

The amendment was adopted.

Mr. Michlewitz of Boston then moved to amend the bill in section 17, in lines 441 to 444, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:—

“‘Distributed energy resources’, small-scale power generation or storage technology including, but not limited to, resources that are in front of and behind the customer meter, electric storage resources, intermittent generation, distributed generation, demand response, energy efficiency, thermal storage, and electric vehicles and their supply equipment, not greater than 10 megawatts, that may provide an alternative to, or an enhancement of, the traditional electric power system and shall be located on an electric utility's distribution system, a subsystem of the utility's distribution system or behind a customer meter.”;

In section 18, in line 492, by striking out the figures: “90” and inserting in place thereof the figures: “120”; and in line 494 by striking out the figures: “45” and inserting in place thereof the following figures: “70”; and

In section 22, in line 733, by striking out the words “the secretary of energy and environmental affairs” and inserting in place thereof the words “the commissioner of energy resources”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Roy of Franklin; and on the roll call (the Speaker being in the Chair) 144 members voted in the affirmative and 12 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 151.

[See [Yea and Nay No. 151](#) in Supplement.]

Therefore the bill (House, No. 4524, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Ms. Hogan of Stow,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next
sitting.

At twenty-seven minutes before five o’clock P.M., on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.